

REMARKS

The Office Action and the cited and applied references have been carefully reviewed. No claim is allowed. Claims 8-10 and 24 are however only objected to. Claim 8-12 and 22-25 presently appear in this application and define patentable subject matter warranting their allowance. Reconsideration and allowance are hereby respectfully solicited.

Claims 11, 12, and 22-23 have been rejected under 35 U.S.C. §102(e) as being anticipated by Buchardt et al. (U.S. Patent No. 6,414,112). This rejection is respectfully traversed.

Buchardt discloses compounds that are referred to as peptide nucleic acids which comprises ligands selected from a group consisting of naturally and non-naturally occurring nucleobases attached to a polyamine backbone (abstract). Exemplary nucleobases include adenine, guanine, thymine, cytosine, 2,6-diaminopurine, etc. (column 5, lines 23-27). Preferred nucleobases are 2,6-diaminopurines. The amino acid residues, which form the polyamide backbone, may be identical or different, and the preferred amino acid residues are 2-aminoethylglycine (column 5, lines 43-46).

Applicants do not understand the examiner's position that, if each of the amino acid residues in SEQ ID NOs:1, 4 or 7 is replaced by one of the amino acids disclosed in Buchardt, the result would be anticipated by Buchardt. Buchardt discloses only

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nucleobases attached to a backbone of a polypeptide and does not disclose or teach non-natural amino acids attached to a backbone. Accordingly, Burchardt cannot anticipate the presently claimed invention.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

Claims 11, 12, and 22-23 have been rejected under 35 U.S.C. §102(b) as being anticipated by Nametz et al., U.S. Patent No. 4,141,880. This rejection is respectfully traversed.

Nametz et al. disclose flame retarded nylon compositions that comprises about 5% to about 35% by weight of a polyethylene oxide condensation product. Applicants also do not understand the examiner's position here where, if each of the amino acid residues in SEQ ID NOs:1, 4 or 7 is replaced by the amino capric acid disclosed by Nametz, the result would be anticipated by Nametz. Nametz discloses only a composition containing poly(6-amino caproic acid) = nylon and other ingredients in the composition, but no natural or non-natural amino acids attached to a backbone. Accordingly, Nametz cannot anticipate the presently claimed invention.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

New claim 25 is directed to examples of the non-natural amino acid residue recited in claim 22 and is fully supported by

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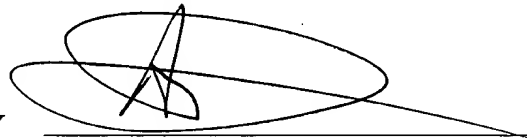
the specification at page 11, lines 14-20. This new claim 25 certainly cannot be anticipated by either Buchardt or Nametz.

In view of the above, the claims define patentable subject matter warranting their allowance. Favorable consideration and early allowance are earnestly urged.

Respectfully submitted,

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By

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